

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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UNITED STATES OF AMERICA

v.

YI GUO CAO

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08 CR 368 (SHS)

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DEFENDANT’S PROPOSED VOIR DIRE EXAMINATION

**Joel S. Cohen, Esq.
128 Mott Street
New York, NY 10038
Attorney for Yi Guo Cao**

1. Where were you born?

IF BORN OUTSIDE OF THE US:

How long have you lived in the U.S.?

When did you become a citizen?

Do you speak or understand Chinese?

IF YES: Which dialects?

Was a Chinese language spoken at home?

IF YES: Which dialects?

Will you accept the interpretation of the official court interpreter even if it conflicts with your own understanding of an answer given in Chinese?

2. Do you have any difficulty speaking or understanding English?

IF YES: please explain.

3. Did your family immigrate to the United States?

IF YES: How long ago was this?

What country/countries did they come from?

4. Have you ever served as a juror or grand juror?

IF YES: What type of case?

Were you ever the foreperson?

5. Have you or any close friend or relative ever been a:

-victim of a crime?

-witness to a crime?

-witness in court?

- charged with a crime?

- convicted of a crime?

IF YES: please explain whether this was yourself, a relative or friend, and what happened **for each occurrence:**

6. Have you or any close friends or relatives ever been employed by or otherwise affiliated with **any law enforcement agency** or organization **as an employee or volunteer?** (This could include, for example, police, sheriff, state trooper, prison guard, INS, Homeland Security, FBI, IRS agent, parole or probation department.)

IF YES: Who was this and which agency?
What did that person do there?
For how long?

7. Have you or anyone close to you ever considered working in law enforcement or applied for a job in law enforcement or with the Immigration and Naturalization Service or Homeland Security? (i.e. police, prison guard, ATF, FBI, IRS agent, probation department.)

IF YES: Who? (Please provide details)

8. Have you or anyone close to you ever been employed in a law office?
9. Have you or anyone close to you ever been employed in a U.S. Attorney's office, a District Attorney's office or for the Immigration and Naturalization Service or Department of Homeland Security?
10. Have you ever had any contact with the Immigration and Naturalization Service or Homeland Security for any reason?

IF YES: please explain.

11. What is your marital or partnership status?
12. Do you have any children?
13. What is the last level of education you completed?
14. What is your current job status?
15. What is (was) your occupation?
16. How long have you been (were you) employed at this job?

17. Please describe what do you do at your job.
18. Do you have, or have you ever had, the authority to hire and fire?
19. If you are presently married or living with a non-marital partner, or were married within the last five years; what is your spouse or partner's present or last occupation?
20. Have you or has anyone close to you ever been self-employed or owned a business?

IF YES: Who and what kind of business?
Is the business still operating?

IF NO, why not?
Was it a positive experience?
Why? Why not?

21. Have you or any member of your immediate family or a close friend or relative ever had any work experience or training in any of the following fields:

English as a second language (ESL)
Translation services
Immigration services
Travel agency

22. Have you or anyone close to you ever visited China?

IF YES: Where did you/they go?
What was your/their impression of the:
Country?
Culture?
People?
Living conditions?
Social conditions?

23. Have you or anyone close to you ever done business on a regular basis in any country outside the US?

IF YES: Who and where?

24. Have you or anyone in your immediate family served in the military?

IF YES: Who?

Did he/she serve overseas?

IF YES: Where and when?

Did he/she see combat?

25. Are you a member of any clubs or organizations such as: veterans groups, service clubs, professional organizations, volunteer groups, neighborhood watch, educational, religious or political groups?

IF YES: What organizations are these?

26. Have you ever been to Chinatown?

IF YES: How often?

IF YES: What was your impression?

27. What, if any, safety concerns do you have when you are in Chinatown?

28. When you are in Chinatown, do you feel like a foreigner?

Please explain your answer:

29. The defendants in this case came to this country were born in China. They are not American citizens although they do are lawful permanent residents of the United States. Do you have any feelings or opinions about immigrants in general or immigrants from China?

IF YES: please explain:

30. The defendants in this case are from Fujian, China. Have you read or heard anything about this part of China?

IF YES: What have you read or heard?

31. The defendant in this case does not speak or understand English very well. What is your opinion about immigrants who do not speak English well?

32. Would you be affected in **any** way by the race, ethnicity or nationality of the defendant in this case?

33. What are your major sources of news? (i.e. television, radio, newspapers, internet, friends)

34. How closely do you follow the news?

35. Do you regularly read a newspaper?

IF YES: How often do you read a newspaper?

36. What radio programs do you listen to regularly?

37. What TV programs do you watch regularly?

38. If you were selected as a juror for a criminal case would you expect the defendant to prove his innocence?

IF YES: please explain:

36. You are being considered as a juror in the case of United States v. Yi Guo Cao. He is charged with Obstruction of Justice by threatening and assaulting a person because that person had testified as a Government witness at a trial of people who were known to Mr. Cao. Have you any experiences, or do you have any opinions or feelings that might make it difficult for you to serve as a fair and impartial juror in this case?

37. Is there any reason you know of why you should not serve as a juror in this case?

IF YES: please explain.

38. Is there anything else that you think the court should know about you in deciding whether or not you should serve as a juror in this case?

IF YES: please explain.

Thank you.